IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

902 FIRST APPEAL NO. 4181 OF 2008

KASHIBAI BABRUWAN BHOJANE DIED THR. LRS. VINOD BHOJANE AND ORS.
VERSUS
THE STATE OF MAHARASHTRA THR COLLECTOR OSMANABAD
...
Ms. Bhagyashree S. Kamble, Advocate for Appellant.
Mr. A. M. Phule, AGP for Respondent-State.
...

WITH
FIRST APPEAL NO. 4183 OF 2008

CHINTAN BABRUWAN BHOJANE DIED THR. LRS. VINOD BHOJANE AND ORS.
VERSUS
THE STATE OF MAHARASHTRA THR COLLECTOR OSMANABAD
...
Ms. Bhagyashree S. Kamble, Advocate for Appellant.
Mr. A. M. Phule, AGP for Respondent-State.
...

CORAM : SIDDHESHWAR S. THOMBRE, J.

DATE : 1st OCTOBER, 2026

P.C.:-

1. Since the acquisition proceedings pertain to the year 1988, the appeals are heard finally with the consent of the learned Advocates for the respective parties.

2. By the present appeals, the Appellants/Claimants are challenging the judgment and award dated 08.08.2008 passed by the learned Civil Judge Senior Division, Omerga in LAR Nos.383/2004

(Old No.6/1996) and 471/2004 (Old No.181/1996), whereby the learned Reference Court refused to enhance the compensation to the extent claimed by the Appellants/Claimants.

3. Ms. Bhagyashree S. Kamble, learned Advocate for the Appellants/Claimants submits that this Court has taken a view in First Appeal Nos.153 of 2009 and 4182 of 2008 decided on 14.08.2026 arising out of same acquisition proceeding.

4. Upon perusal of order passed by this Court in First Appeal Nos.153 of 2009 and 4182 of 2008, I am inclined to adopt the same view in the present appeals. Therefore, present appeals are disposed of accordingly. The operative part of the order passed by this Court in First Appeal Nos.153 of 2009 and 4182 of 2008 reads as under:-

"O R D E R

(i) The First Appeals are partly allowed.

(ii) The claimants, being the owners of lands admeasuring 3 Hectares 82 R from Survey No.719, 3 Hectares 4 R from Survey No.720/2 and 2 Hectares 4 R from Survey No.737, are entitled to receive enhanced compensation at the rate of Rs.90,000/- per Acre for the acquired semiirrigated/seasonally irrigated lands. The claimant, being the owner of land admeasuring 84 R from Survey No.738, is entitled to receive enhanced compensation at the rate of Rs.60,000/- per Acre for the acquired dry land, situated at Village Murum, Taluka Omerga, District Osmanabad.

(iii) The claimants shall be entitled to all consequential statutory benefits on the enhanced compensation in accordance with the provisions of the Land Acquisition Act, 1894.

(iv) The claimants shall be entitled to interest under Section 34 of the Land Acquisition Act, 1894, strictly in accordance with the principles laid down by the Full Bench of this Court in State of Maharashtra v. Kailas Shiva Rangari, 2016 (3)

Mh.L.J. 457.

(v) Save and except the aforesaid modification, the Judgments and Awards passed by the learned Reference Court stand confirmed.

(vi) The claimants shall pay the deficit Court-fees, if any.

(vii) The modified award be drawn accordingly.

(viii) The legal heirs of the claimants shall be at liberty to withdraw enhanced compensation by submitting the requisite heirship/succession certificate.

(ix) Pending Civil Applications, if any, stand disposed of."

(SIDDHESHWAR S. THOMBRE, J.)

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